

# Exhibit B

Florida Process Server Affidavit of Non-Service

**AFFIDAVIT OF NON-SERVICE**

UNITED STATES DISTRICT COURT  
District District of Florida

Case Number: 2:19-CV-01697-JAD-DJA

Plaintiff:

**Commodity Futures Trading Commission**

vs.

Defendant:

**David Gilbert Saffron a.k.a David Gilbert and Circle Society, Corp**



MIC2019009427

For:

Danielle Karst  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street NW  
Washington, DC 20581

Received by Eagle Legal Services, Inc. on the 7th day of October, 2019 at 9:40 am to be served on **David Gilbert Saffron A/K/A David Gilbert**, [REDACTED], ORMOND BEACH, FL [REDACTED]

I, Kevin Whitton, being duly sworn, depose and say that on the **14th day of October, 2019 at 1:25 pm**, I:

**NON-SERVED the Complaint,Civil Cover Sheet, Signed Summons for David Saffron and Circle Society Corp., Malas Declaration (w/ Exhibits) Motion and Memo for Ex Parte Statutory Restraining Order and Proposed Order, Motion and Memo for Preliminary Injunction and Proposed Order Motion to Permit Appearance of Government Attorneys ,Court Order for the reason that I failed to find David Gilbert Saffron A/K/A David Gilbert or any information to allow further search. Read the comments below for further details.**

**Additional Information pertaining to this Service:**

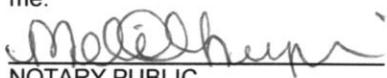
10/7/2019 11:15 am Attempted service at [REDACTED] ORMOND BEACH, FL [REDACTED] SINGLE FAMILY HOME. SERVER SPOKE WITH WHITE FEMALE APPROX 70YEARS OLD WHO STATED SHE DOES NOT KNOW ANYONE BY THIS NAME AND SERVER SHOULD CONTACT THE POLICE DEPT. SUBJECT THEN CAME OUT AND TOOK PICTURE OF SERVERS TAGS.

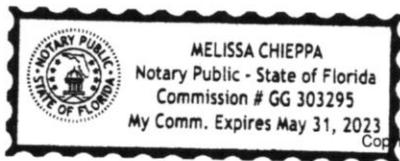
10/10/2019 5:45 pm Attempted service at [REDACTED] ORMOND BEACH, FL [REDACTED] SERVER ARRIVED AT RESIDENCE AT 5:45PM. ACURA IN FRONT OF HOME TAG# [REDACTED] C63. BEGINNING WAIT TIME. ADDRESS IS ON A CUL DE SAC, DIFFICULT TO OBSERVE WITHOUT BEING SEEN. AT 6:30PM AN SUV ARRIVED AT HOUSE AND PULLED INTO GARAGE WITH OLDER WHITE MALE DRIVING. SERVER ATTEMPTED TO MAKE CONTACT WITH DRIVER BUT THEY SHUT OVERHEAD DOOR BEFORE SERVER COULD MAKE CONTACT. TAG NUMBER OF SUV IS [REDACTED] QBJ. I KNOCKED ON DOOR AND A WHITE MALE (NOT THE DRIVER OF THE SUV) APPROX 75 TO 80 YEARS OLD ANSWERED DOOR I ASKED IF DAVID SAFFRON WAS THERE AND MALE STATED DAVID DOESN'T LIVE HERE BUT ALAN SAFFRON DOES. AT THAT TIME THE FEMALE THAT I SPOKE WITH ON PREVIOUS ATTEMPT RUSHED TO DOOR AND ANGRILY TOLD MALE TO SHUT THE DOOR NOW, SHE SLAMMED DOOR. I DO BELIEVE THE UNKNOWN MALE THAT ANSWERED THE DOOR, HE SAID HE WAS VISITING. I BELIEVE THE MALE IN SUV WAS FATHER ALAN SAFFRON. AT THIS POINT MY COVER WAS BLOWN. ALSO BELIEVE THE MALE I SPOKE WITH WAS TELLING THE TRUTH WHEN HE STATED DAVID DOES NOT LIVE HERE AS HE GAVE NAME OF FATHER NOT KNOWING THE SITUATION BEFORE MOTHER COULD SLAM DOOR. WAIT TIME ENDED AS THERE IS NO PLACE TO OBSERVE HOME WITHOUT BEING SEEN AS IT IS ON CUL DE SAC. PARENTS ARE DEFINITELY NOT GOING TO TELL ANYONE WHERE DAVID IS. GENTLEMAN THAT I SPOKE WITH EXITED HOME A COUPLE OF MINUTES AFTER AND GOT INTO ACURA AND LEFT AS SERVER WAS PUTTING COMMENTS INTO SYSTEM. SERVER FINISHED RECORDING COMMENTS AND LEFT AREA AT 7:45PM. NO OTHER ACTIVITY. Because of the conversations with the unknown older male, server does not feel that David is here at this time.

**AFFIDAVIT OF NON-SERVICE For 2:19-CV-01697-JAD-DJA**

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made. Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true. F.S. 92.525(2)

Subscribed and Sworn to before me on the 22nd day of October, 2019 by the affiant who is personally known to me.

  
\_\_\_\_\_  
NOTARY PUBLIC



  
\_\_\_\_\_  
Kevin Whitton

Eagle Legal Services, Inc.  
424 E. Central Blvd.  
#337  
Orlando, FL 32801  
(407) 857-8380

Our Job Serial Number: MIC-2019009427  
Ref: 9427



AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
for the  
**District of Nevada**

Commodity Futures Trading Commission,	)	
	)	
	)	
	)	
<i>Plaintiff(s)</i>	)	
v.	)	Civil Action No. 2:19-cv-01697-JAD-DJA
David Gilbert Saffron a/k/a David Gilbert and Circle Society, Corp.,	)	
	)	
	)	
<i>Defendant(s)</i>	)	

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* **David Gilbert Saffron**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: **Danielle Edward Karst**  
**Commodity Futures Trading Commission**  
**Three Lafayette Centre**  
**1155 21st Street NW**  
**Washington, DC 20581**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DEBRA K. KEMPI

CLERK

(By) DEPUTY CLERK



October 4, 2019

DATE

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:19-cv-01697-JAD-DJA

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* DAVID Gilbert Saffron A/K/A David Gilbert  
 was received by me on *(date)* 10/21/19.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_,  
 a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because Cant obtain Service; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*[Signature]*  
Server's signatureKevin Whitten / Process Server  
Printed name and title124 N. New Rd. #201, Ormond Beach, FL  
Server's address 32174

Additional information regarding attempted service, etc: